



**Service of Process
Transmittal**

12/04/2017

CT Log Number 532402019

TO: Kim Lundy Service of Process, Legal Support Supervisor
Wal-Mart Stores, Inc.
702 SW 8th St, MS#0215
Bentonville, AR 72716-6209

RE: Process Served in Illinois

FOR: Wal-Mart Stores, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Tolliver Nancy, Pltf. vs. Wal-Mart Stores, Inc., etc., Dft.

DOCUMENT(S) SERVED: Summons, Complaint, Affidavit

COURT/AGENCY: St. Clair County - 20th Judicial Circuit Court, IL
Case # 17L684

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - October 6, 2017 - Wal-Mart located at 1530
West U.S. Highway 50, O'Fallon, Illinois

ON WHOM PROCESS WAS SERVED: C T Corporation System, Chicago, IL

DATE AND HOUR OF SERVICE: By Process Server on 12/04/2017 at 09:52

JURISDICTION SERVED : Illinois

APPEARANCE OR ANSWER DUE: Within 30 days after service, exclusive of the day of service

ATTORNEY(S) / SENDER(S): Mr. Thomas C. Rich
Rich, Rich & Cooksey, P.C.
6 Executive Drive, Suite 3
Fairview Heights, IL 62208
618-632-0044

ACTION ITEMS: CT has retained the current log, Retain Date: 12/04/2017, Expected Purge Date:
12/09/2017

Image SOP

Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System
ADDRESS: 208 South LaSalle Street
Suite 814
Chicago, IL 60604
TELEPHONE: 312-345-4336

Case Number

17L 684

Amount Claimed

Nancy
Tolliver

VS

Wal-Mart Stores,
Inc., a corporation

Plaintiff(s)

Defendant(s)

Classification Prefix

Code

Nature of Action

Code

TO THE SHERIFF: SERVE THIS DEFENDANT AT:

Pltf. Atty. Rich & Cokey, P.C. Code

NAME

Address Executive Drive, Suite 3

City Kankakee, IL 60708

Phone (815) 437-0044

Add. Pltf. Atty.

Code

ADDRESS

20850 LaSalle Street, Suite 814

CITY & STATE

Chicago, IL 60604

SUMMONS

To the above named defendant(s)



A. You are hereby summoned and required to appear before this court at

(court location) _____ at _____ M. On _____ 20____

to answer the complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by default may be taken against you for the relief asked in the complaint.



B. You are hereby summoned and required to file an answer in this case or otherwise file your appearance, in the office of the Clerk of this court, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, judgment or decree by default may be taken against you for the relief prayed in the complaint.

TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with indorsement thereon of service and fees if any, immediately after service. In the event that paragraph A of this summons is applicable this summons may not be served less than three days before the day of appearance. If service cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date.

WITNESS, _____

11-27 2017

Karahlah Clay

Clerk of Court

BY DEPUTY

Lickie Parker

SEAL

DATE OF SERVICE: December 4, 2017

(To be inserted by officer on copy left with defendant or other person)

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

NANCY TOLLIVER,

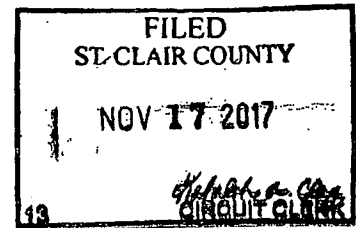
Plaintiff,

vs.

WAL-MART STORES, INC.,
a corporation,

Defendant.

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) NO: 17L 684
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COMPLAINT

COUNT I

Negligence

(Nancy Tolliver v. Wal-Mart Stores, Inc., a corporation)

Now comes the Plaintiff, Nancy Tolliver, by and through her attorneys, Rich, Rich & Cooksey, P.C. and for her cause of action against the Defendant, Wal-Mart Stores, Inc., a corporation, and respectfully represents unto the Court as follows:

1. That at all times relevant hereto the Defendant, Wal-Mart Stores, Inc., a corporation (hereinafter referred to as Wal-Mart), is authorized to do business in the State of Illinois and does business as a retailer in St. Clair County, Illinois and invites patrons and others onto its premises to conduct business.

2. That at all times relevant hereto the Defendant, Wal-Mart, possessed, operated, managed, maintained and controlled or had a duty to possess, operate, manage, maintain and control, both directly and indirectly, individually and through its agents, servants and employees, the premises upon which it conducted business located at 1530 West U.S. Highway 50, O'Fallon Illinois.

3. That the Defendant invited the general public, including the Plaintiff, to enter and exit

the subject premises for the purposes of conducting business activities within the aforementioned premises.

4. That it then and there became and was the duty of the Defendant, individually and through its agents, servants, and employees, to keep the premises in a reasonably safe condition for the Plaintiff and other persons lawfully in and about the premises and, further, not to create or allow any dangerous conditions to exist on or about the premises.

5. That at the aforementioned location, and on or about October 6, 2017, the Defendant, Wal-Mart, well knowing its duty in this regard, carelessly and negligently caused and permitted the premises to become and remain in a dangerous condition for persons using said premises, especially patrons, although the Defendant knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.

6. That at all times relevant hereto, the Plaintiff, Nancy Tolliver, was lawfully on the aforesaid premises as a paying customer and exercising due care for her own safety.

7. That on October 6, 2017, the Plaintiff, Nancy Tolliver, was on the aforesaid premises when she slipped on a foreign substance which had accumulated on the floor, causing her to sustain severe injuries.

8. That at the aforesaid time and place, the Defendant, by and through its agents and servants, committed one or more of the following acts of negligence and/or omissions which directly and proximately caused the accident to occur:

- a. It failed to manage, inspect, clean, and maintain its premises in a safe condition;
- b. It failed to have a safe procedure for cleaning foreign substances on the aforesaid premises;
- c. It failed to provide a safe area to walk in the premises;

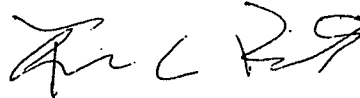
- d. It failed to provide a good, safe and proper place for the Plaintiff to, use, occupy and walk on while on the common areas of the premises;
- e. It allowed and permitted the premises to become and remain in an unsafe, defective, and/or dangerous condition, which it knew or should have known existed, namely by allowing a foreign substance to remain on the premises;
- f. It failed to inspect the premises to be certain it was in good, safe and/or proper condition;
- g. It failed to warn the Plaintiff and others of the unsafe, defective and/or dangerous condition of the said premises; and
- h. It failed to place warning signs or cones in a manner visible to customers in the area to warn customers of the spill.

9. That as a direct and proximate result of one or more of the following acts of negligence and/or omissions, the Plaintiff, Nancy Tolliver, was injured as follows:

- a. The Plaintiff was made sick, sore, lame, disordered and disabled and suffered extensive injuries to her head, body, and limbs, both internally and externally;
- b. The Plaintiff received injuries to her right shoulder;
- c. The Plaintiff received injuries to her back;
- d. The Plaintiff received injuries to her right hand;
- e. The Plaintiff received injuries to the soft tissues of the cervical, shoulder, and lumbar area, including the muscles, ligaments, tendons and nerves;
- f. The Plaintiff has expended money for necessary medical care, treatment and services and will be required to expend money for medical care, treatment and services in the future;
- g. The Plaintiff has suffered disability as a result of her injuries;
- h. The Plaintiff has experienced pain and suffering and will be reasonably certain to experience pain and suffering in the future as a result of the injuries; and
- i. The Plaintiff has lost money from the loss of wages and will suffer an impairment of future earning capacity.

WHEREFORE, the Plaintiff, Nancy Tolliver, prays judgment against the Defendant, Wal-Mart Stores, Inc., a corporation, for a fair and just award in excess of \$50,000.00 (Fifty Thousand Dollars) plus costs of this suit.

Respectfully submitted,



BY: RICH, RICH, & COOKSEY, P.C.

~~Mr. Thomas C. Rich #06186229~~

Mrs. Kristina D. Cooksey #6299549

Mrs. Michelle M. Rich #6310004

Attorneys at Law

6 Executive Drive, Suite 3

Fairview Heights, IL 62208

618-632-0044 PHONE

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IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

NANCY TOLLIVER,

Plaintiff,

vs.

WAL-MART STORES, INC.,
a corporation,


Defendant.

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) NO:
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AFFIDAVIT

Now come Rich, Rich & Cooksey, P.C. attorneys for the Plaintiff in the above titled action and at the time of the filing of this Complaint have reasonable grounds to believe that the damages to the Plaintiff as a result of the injuries sustained herein will be in excess of Fifty Thousand Dollars (\$50,000.00).

11/13/17
Date


BY: RICH, RICH, & COOKSEY, P.C.
Mr. Thomas C. Rich #06186229
Mrs. Kristina D. Cooksey #6299549
Mrs. Michelle M. Rich #6310004
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